

HOUSE BILL NO. 107

INTRODUCED BY JENT

BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION

A BILL FOR AN ACT ENTITLED: "AN ACT UPDATING THE AUTHORITY OF AND REQUIREMENTS FOR THE DEPARTMENT OF ADMINISTRATION TO PLACE CERTAIN BUSTS, PLAQUES, STATUES, MEMORIALS, MONUMENTS, ART DISPLAYS, AND OTHER ITEMS IN THE CAPITOL, ON THE CAPITOL GROUNDS, OR IN STATE BUILDINGS ON THE CAPITOL COMPLEX; ELIMINATING THE PEARL HARBOR MEMORIAL COMMITTEE AND CERTAIN ADMINISTRATIVE PROVISIONS RELATING TO THE PEARL HARBOR MEMORIAL COMMITTEE AS A RESULT OF THE COMPLETION OF THE MEMORIAL TO PEARL HARBOR SURVIVORS; AMENDING SECTIONS 2-17-804, 2-17-807, 2-17-808, AND 2-17-813, MCA; AND REPEALING SECTIONS 5-17-301, 5-17-302, AND 5-17-303, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-17-804, MCA, is amended to read:

"2-17-804. Council duties and responsibilities. (1) The council shall:

(a) adopt an art and memorial plan for the placement of art and memorials in the capitol complex and on the capitol complex grounds;

(b) review proposals for long-term displays of up to 50 years, subject to renewal, in the capitol complex and on the capitol complex grounds and for the naming of state buildings, spaces, and rooms in the capitol complex;

(c) advise the legislature on the placement of busts, plaques, statues, memorials, monuments, or art displays of a long-term nature in public areas of the capitol complex and on the capitol complex grounds, including the executive residence and the original governor's mansion;

(d) advise the department of administration on interior decoration of the capitol; and

(e) advise the department of fish, wildlife, and parks on grounds maintenance and grounds displays.

(2) In advising the legislature on long-term displays, the council shall consider whether the bust, plaque, statue, memorial, monument, or art display:

(a) reasonably fits the long-range master plan for the capitol and adjacent grounds developed under

1 2-17-805;

2 (b) adversely alters the appearance of the capitol complex;

3 (c) unreasonably affects foot traffic on the capitol complex;

4 (d) adversely impacts existing maintenance programs or the utility infrastructure;

5 (e) recognizes a person or event of statewide significance and relevance;

6 (f) has artistic merit in its design and construction;

7 (g) will be safely and aesthetically suited to its installation site; and

8 (h) has adequate funding for design, installation, and maintenance.

9 (3) By November 15 of each year preceding a legislative session, the council shall report to the
10 legislature on requests that it has reviewed for naming buildings, spaces, and rooms and for placing items in the
11 capitol complex or on the capitol complex grounds. The report must include a recommendation to the legislature
12 on whether reviewed requests meet the criteria established by this part. If a request meets the criteria, the
13 council shall recommend a timeframe during which the project should be authorized."
14

15 **Section 2.** Section 2-17-807, MCA, is amended to read:

16 **"2-17-807. Approval for displays and naming buildings, spaces, and rooms.** (1) A state building,
17 space, or room in the capitol complex may not be named after an individual or a bust, plaque, statue, memorial,
18 monument, or art display may not be displayed on a long-term basis in the capitol complex or on the capitol
19 complex grounds unless the building, space, or room name or display is approved by the legislature and
20 complies with this part.

21 (2) (a) A Except as provided in subsection (2)(b), a state building, space, or room in the capitol complex
22 may not be named after an individual or a bust, plaque, statue, memorial, monument, or art display
23 commemorating an individual may not be displayed on a long-term basis in the capitol complex unless the
24 individual has been deceased for at least 10 years.

25 (b) The statue of Mike and Maureen Mansfield authorized in 2-17-808 (1)(d)(iii) and the plaque
26 commemorating President George H.W. Bush authorized in 2-17-808 (2)(b)(ii) may continue to be displayed in
27 the capitol complex.

28 (3) A bust, plaque, statue, memorial, monument, or art display commemorating an event, including a
29 military event, may not be displayed on a long-term basis in the capitol complex until 10 years after the end of
30 the event.

(4) All busts, plaques, statues, memorials, monuments, or art displays authorized, but not installed within 5 years of authorization, must be reauthorized.

(5) The department of administration may review and approve the temporary display of a bust, plaque, statue, memorial, monument, or art display for up to 1 year in the capitol complex or on the capitol complex grounds."

Section 3. Section 2-17-808, MCA, is amended to read:

"2-17-808. Placement of certain busts, plaques, statues, memorials, monuments, and art displays. (1) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for up to 50 years, subject to renewal, in the capitol:

(a) the busts of Thomas J. Walsh, Burton K. Wheeler, and Joseph Dixon;

(b) the plaques commemorating Theodore Brantley, Fred Whiteside, the first Montana volunteers who fought in the Spanish-American War, the construction of the capitol from 1899 to 1902, ~~and the 1972 Montana constitutional convention, and the women legislators' centennial;~~

(c) the murals by Edgar S. Paxson, Ralph E. DeCamp, Charles M. Russell, Amedee Joullin, and F. Pedretti and sons;

~~(d) the portraits of Joseph K. Toole and Wilbur Fiske Sanders;~~

——— ~~(e)~~(d) the statues of:

(i) Wilbur Fiske Sanders;

(ii) ~~Jeanette~~ Jeannette Rankin; and

(iii) Mike and Maureen Mansfield;

~~(f)~~(e) the Montana statehood centennial bell;

~~(g)~~(f) the gallery of outstanding Montanans;

~~(h)~~(g) the Montana constitutional exhibit; and

~~(i)~~(h) the biographical descriptions of Montana's governors, to be placed near the portraits of the governors.

(2) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for up to 50 years, subject to renewal, on the grounds of the capitol:

(a) the ~~statue~~ statues of Thomas Francis Meagher and Lady Liberty;

(b) the ~~plaque~~ plaques commemorating:

1 (i) Donald Nutter;

2 (ii) President George H.W. Bush; and

3 (iii) American prisoners of war and personnel of the United States armed services missing in action; and

4 (c) two benches with plaques recognizing contributors to the 1997-2000 capitol restoration, repair, and
5 renovation project;

6 (D) THE MONTANA CENTENNIAL SQUARE; AND

7 (E) THE MONUMENT OF THE TEN COMMANDMENTS.

8 (3) ~~The statue by Robert Scriver entitled "symbol of the pros" is~~ following busts, plaques, statues,
9 memorials, monuments, and art displays are to be placed for up to 50 years, subject to renewal, on the capitol
10 complex grounds;

11 (a) the statue by Robert Scriver entitled "symbol of the pros";

12 (b) the monuments to the liberty bell, the veterans' and pioneer memorial building--landscape
13 beautification project, Montana veterans, and Pearl Harbor survivors and the peace pole;

14 (c) the sculptures of the herd bull and the eagle;

15 (d) the plaques commemorating the Montana national guard and Lewis and Clark; and

16 (e) the arrastra.

17 (4) The following busts, plaques, statues, memorials, monuments, and art displays are to be placed for
18 up to 50 years, subject to renewal, in state buildings on the capitol complex:

19 (a) the paintings of Dr. W.F. Cogswell and the paintings entitled "burning bush", "dryland farmer", "farm
20 girl", "the river rat", "top of the world", "angus #68", "the source", "the Bozeman trail", and "the Mullan road";

21 (b) the art displays known as "Montana workers--mining, ranching, and building", "copper city rodeo",
22 "dancing cascade", "save a piece of the sky", and "night light";

23 (c) the plaque commemorating Walt Sullivan and the plaque of the Sam W. Mitchell building; and

24 (d) the busts of Lee Metcalf and Sam W. Mitchell.

25 ~~(4)(5)~~ The senate sculpture provided for in 2-17-809 is to be placed for up to 50 years, subject to
26 renewal, on the west wall in the senate chambers.

27 ~~(5)(6)~~ The council shall determine the specific placement of the items identified in subsections (1)
28 through ~~(3)(4)~~."

29
30 **Section 4.** Section 2-17-813, MCA, is amended to read:

"2-17-813. Certain items entrusted to Montana historical society. A bust, plaque, statue, memorial, monument, or art display in possession of the state that may have been associated with the capitol complex but is not listed under 2-17-808 is entrusted to the Montana historical society for storage or temporary display until a suitable location is identified, recommended for placement by the council, and approved by the legislature for long-term placement."

NEW SECTION. Section 5. Repealer. Sections 5-17-301, 5-17-302, and 5-17-303, MCA, are repealed.

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